

IC 21-2-11

Chapter 11. General School Fund

IC 21-2-11-1

Definitions

Sec. 1. As used in this chapter:

"School corporation" shall mean and refer to any local public school corporation established by and under the laws of the state of Indiana. The term shall include but not be limited to any school city, school town, school township, consolidated school corporation, metropolitan school district, county school corporation, community school corporation, or united school corporation.

"Governing body" shall mean and refer to any board of school commissioners, any metropolitan board of education, any board of school trustees, any township trustee and township board of any school township, or any other board or commission charged by law with the responsibility of administering the affairs of a school corporation.

(Formerly: Acts 1967, c.328, s.1.) As amended by P.L.8-1987, SEC.67.

IC 21-2-11-2

Establishment of fund; transfer of various funds to general fund

Sec. 2. The governing body of each school corporation in the state of Indiana shall establish a general fund for the operation and maintenance of local schools and levy a tax therefor. All receipts and disbursements heretofore authorized by law for school funds and tax levies for the tuition fund, special school fund, special fund, vocational fund, recreation fund, compulsory education fund, school library fund, high school library fund, public employee's retirement fund, operating fund, transportation tax and county wide school tax shall, on and after January 1, 1968, be received in and disbursed from the general fund. Tax levy and rate for the general fund shall be established by the governing body of each school corporation for the 1968 calendar year and all succeeding calendar years. Any balances of all the aforesaid funds on January 1, 1968 shall be transferred to the general fund.

(Formerly: Acts 1967, c.328, s.2.)

IC 21-2-11-3 Repealed

(Repealed by Acts 1973, P.L.45, SEC.4.)

IC 21-2-11-4

Transfer among funds

Sec. 4. (a) Any lawful school expenses payable from any other fund of the school corporation, including without limitation debt service and capital outlay, but excluding costs attributable to transportation (as defined in IC 21-2-11.5-2), may be budgeted in and paid from the general fund. However, after June 30, 2003, and before July 1, 2005, a school corporation may budget for and pay costs

attributable to transportation (as defined in IC 21-2-11.5-2) from the general fund.

(b) In addition, remuneration for athletic coaches (whether or not they are otherwise employed by the school corporation and whether or not they are licensed under IC 20-6.1-3) may be budgeted in and paid from the school corporation's general fund.

(c) During the period beginning July 1, 2003, and ending June 30, 2005, the school corporation may transfer money in a fund maintained by the school corporation (other than the special education preschool fund (IC 21-2-17-1) or the school bus replacement fund (IC 21-2-11.5-2)) that is obtained from:

- (1) a source other than a state distribution or local property taxation; or
- (2) a state distribution or a property tax levy that is required to be deposited in the fund;

to any other fund. A transfer under subdivision (2) may not be the sole basis for reducing the property tax levy for the fund from which the money is transferred or the fund to which money is transferred. Money transferred under this subsection may be used only to pay costs, including debt service, attributable to reductions in funding for transportation distributions under IC 21-3-3.1, including reimbursements associated with transportation costs for special education and vocational programs under IC 21-3-3.1-4, and ADA flat grants under IC 21-3-4.5. The property tax levy for a fund from which money was transferred may not be increased to replace the money transferred to another fund.

(d) The total amount transferred under subsection (c) may not exceed the following:

- (1) For the period beginning July 1, 2003, and ending June 30, 2004, the total amount of state funding received for transportation distributions under IC 21-3-3.1, including reimbursements associated with transportation costs for special education and vocational programs under IC 21-3-3.1-4, and ADA flat grants under IC 21-3-4.5 for the same period.
- (2) For the period beginning July 1, 2004, and ending June 30, 2005, the product of:
 - (A) the amount determined under subdivision (1); multiplied by
 - (B) two (2).

(Formerly: Acts 1967, c.328, s.4.) As amended by Acts 1979, P.L.208, SEC.5; P.L.206-1983, SEC.2; P.L.224-2003, SEC.145; P.L.97-2004, SEC.78.

IC 21-2-11-5

Separate funds for self-supporting program

Sec. 5. Any self-supporting programs maintained by any school corporation, including but not limited to school lunch and rental or sale of textbooks, may be established as separate funds, separate and apart from the general fund, if no local tax rate is established therefor.

(Formerly: Acts 1967, c.328, s.5.)

IC 21-2-11-6

Creation of funds for gifts or federal assistance

Sec. 6. Moneys received by any school corporation for a specific purpose or purposes, by gift, endowment or pursuant to any federal statute, may be accounted for by establishing separate funds, separate and apart from the general fund, if no local tax funds are involved. However, no such funds shall be accepted unless the terms of the gift, endowment or payment, and the acceptance thereof, are so stated that the officers of the school corporation are not divested of any right or authority which they now have or may hereafter be granted by law. Such moneys so received for specific purposes, and any earnings thereon, may be disbursed without appropriation.

(Formerly: Acts 1967, c.328, s.6.) As amended by P.L.77-1999, SEC.6; P.L.68-2001, SEC.7.

IC 21-2-11-6.5

Transfers to school technology fund

Sec. 6.5. (a) All money appropriated from the general fund for any of the purposes described in IC 21-2-18-3 shall be transferred from the general fund to the school technology fund established under IC 21-2-18.

(b) As used in this subsection, "base year" means January 1, 1998, through June 30, 1999, or any subsequent universal service program year for which a school corporation initially makes application to the program. Any money saved by a school corporation as a result of universal service discounts provided to the school corporation under the federal Telecommunications Act of 1996 must be transferred to the school technology fund. For purposes of this section, the amount of money saved by a school corporation as a result of universal service discounts during the base year and any subsequent universal service program year is equal to:

- (1) the sum of all reimbursements in the form of cash or discounts received or eligible to be received under the universal service program during the base year; minus
- (2) discounts from expenditures made from the debt service and capital projects funds during the base year for one time costs such as new construction or remodeling projects.

As added by P.L.77-1999, SEC.7. Amended by P.L.86-2000, SEC.1.

IC 21-2-11-7

Repealed

(Repealed by P.L.41-1993, SEC.53.)

IC 21-2-11-8

Conflicting laws superseded and repealed

Sec. 8. Any law or part of law that is not amended to comply with the legislative intent expressed by the provisions of this chapter, which law or part of law has governed school corporation

authorization for levying taxes as a funding means for various school activities as is provided for by this chapter, is hereby declared superseded and in conflict herewith and hereby repealed.

(Formerly: Acts 1967, c.328, s.8.) As amended by P.L.2-1988, SEC.673.